

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

ACCESS 4 ALL, INC., a Florida not for	)	
profit corporation, and PETER SPALLUTO,	)	
Individually,	)	Case No. 06 CV 4122
	)	
Plaintiffs,	)	Judge Filip
	)	Magistrate Judge Brown
v.	)	
	)	
ESSEX INN, LLC, an Illinois Limited	)	
Liability Company,	)	
	)	
Defendant.	)	

**STIPULATION FOR APPROVAL AND ENTRY OF  
CONSENT DECREE AND DISMISSAL OF CASE WITH PREJUDICE**

Defendant, ESSEX INN, LLC (“Defendant”), and Plaintiffs, ACCESS 4 ALL, INC. (“Plaintiff Access 4 All”) and PETER SPALLUTO (“Plaintiff Spalluto”) (collectively referred to hereinafter as “Plaintiffs”), by and through their undersigned counsel, hereby move this Court to approve and enter judgment on the Proposed Consent Decree, attached hereto as Exhibit A (“Consent Decree”). In support thereof, the parties state as follows:

1. On or about July 31, 2006, Plaintiffs filed this action against Defendant alleging certain violations of Title III of the Americans With Disabilities Act.

2. Since October 2006, the parties have been engaged in settlement negotiations and have now reached a resolution of this matter. In addition to the monetary amount agreed to by the parties, the parties have agreed to enter into a Consent Decree (attached hereto as Exhibit A) which outlines the readily achievable modifications to be undertaken at the Hotel which is the subject of the instant lawsuit.

3. Pursuant to Title III of the Americans with Disabilities Act, this Court is authorized to enter consent decrees requiring a place of public accommodation to alter its

facilities to make them accessible to individuals with disabilities, to the extent required by Subchapter III of Chapter 126 of Title 42 of the United States Code. 42 U.S.C. § 12188 (a)(2) 2000.

WHEREFORE, Defendant, ESSEX INN, LLC, and Plaintiffs, ACCESS 4 ALL, INC. and PETER SPALLUTO, respectfully request that this Court approve and enter judgment on the Proposed Consent Decree as outlined therein, retain jurisdiction to enforce the Consent Decree, and enter an order dismissing the lawsuit encaptioned: *Access 4 All, Inc. and Peter Spalutto v. Essex Inn, LLC*, Case No. 06 CV 4122, with prejudice.

One of the Attorneys for Plaintiffs:

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**CERTIFICATE OF SERVICE**

I, Steve A. Miller, hereby certify that on June 7, 2007, I electronically filed the foregoing **STIPULATION AND APPROVAL OF CONSENT DECREE AND DISMISSAL OF CASE WITH PREJUDICE** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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thereby serving the same upon them.

/s/ Steve A. Miller